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a plurality of concentric rings on one surface of the substrate, each ring of a different pre-defined size.

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A marked up copy of claim 1 showing the amendment is attached hereto.

#### REMARKS

The applicants appreciate the Examiner's thorough examination of the application and requests reexamination and reconsideration of the application in view of the preceding amendments and the following remarks.

The subject invention is directed to a calibration artifact for calibrating a machine vision measurement system, the calibration artifact comprising: a rigid substrate; and a plurality of concentric rings on one surface of the substrate, each ring of a different pre-defined size.

The Examiner rejects claims 1-3 under 35 USC § 102(b) as being unpatentable over U.S. Patent No. 5,507,740 to *O'Donnell, Jr.* However, *O'Donnell* fails to disclose all of the elements of the present claims.

*O'Donnell* is directed to a corneal topography enhancement device which is “an extremely pliable, small mat... formed from a very thin, pliable material that conforms to the external physical features of the cornea C of eye E when applied thereto.” (emphasis added) Col. 2, lines 54-57 of *O'Donnell*.

However, *O'Donnell* fails to disclose a rigid substrate as claimed in applicant's

amended claim 1. *O'Donnell* specifically discloses that the mat is pliable, so that it can conform to the cornea of an eye. Indeed, *O'Donnell* teaches away from a rigid substrate as claimed by applicant as such a substrate would not be able to conform to the external physical features of a cornea as required by *O'Donnell*. Accordingly, claim 1 and dependent claims 2-3 are patentable over *O'Donnell*.

The Examiner also rejects claim 9 under 35 USC § 102(b) as being unpatentable over *O'Donnell* and claim 10 under 35 USC § 103(a) as being unpatentable over *O'Donnell* in view of Admitted Prior Art. Claims 9 and 10 both contain the feature of a plurality of concentric shapes/rings on one surface of the substrate, wherein the change between the size of any two adjacent shapes/rings is different than the change between the size of any other two adjacent shapes/rings. The Examiner indicates that *O'Donnell* discloses this feature in Figure 4 and Col. 3, lines 3-9. However, the cited portions of *O'Donnell*, as well as the entirety of the reference, fail to disclose, teach or suggest this feature of the applicant's claims. Nowhere does *O'Donnell* disclose that the change between the size of any two adjacent shapes/rings is different than the change in size between any other two adjacent shapes/rings.

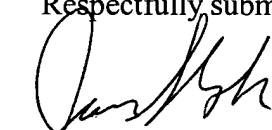
As *O'Donnell* fails to disclose the feature of the applicants invention, claims 9 and 10 are patentable over *O'Donnell* and *O'Donnell* in view of the Admitted Prior Art.

Each of the Examiner's rejections has been addressed or traversed. Accordingly, it is respectfully submitted that the application is in condition for allowance. Early and favorable action is respectfully requested.

If for any reason this Response is found to be incomplete, or if at any time it

appears that a telephone conference with counsel would help advance prosecution, please telephone the undersigned or his associates, collect in Waltham, Massachusetts, (781)890-5678.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jason D. Shanske", written over a horizontal line.

Jason D. Shanske  
Reg. No. 43,915



Applicant: Richard Roelke  
For: Calibration Artifact and Method of Using the Same

1                   1. <sup>(once amended)</sup> A calibration artifact for calibrating a machine vision measurement system,  
2                   the calibration artifact comprising:  
3                                   <sup>rigid</sup>  
                                  a substrate; and  
4                                   a plurality of concentric rings on one surface of the substrate, each  
5                   ring of a different pre-defined size.

1                   2.       The calibration artifact of claim 1 wherein the change in the size of any two  
2                   adjacent rings is different than the change in size of any other two adjacent rings.

1                   3.       The calibration artifact of claim 1 in which each ring has an inner edge and  
2                   an outer edge.